No. 90-6531-CFX
Status: GRANTED

Title: Keith J. Hudson, Petitioner
v.
Jack McMillian, et al.

Docketed:
November 19, 1990

Court: United States Court of Appeals
for the Fifth Circuit

Counsel for petitioner: Hudson,Keith J., Bronstein,Alvin J.

Counsel for respondent: Guste Jr.,William J.

Entry	Date	Note	Proceedings and Orders
1	Nov 19 1990	G	Petition for writ of certiorari and motion for leave to proceed in forma pauperis filed.
3	Jan 24 1991		DISTRIBUTED. February 15, 1991
4	Feb 12 1991	P	Response requested -- JPS. (Due March 14, 1991)
5	Mar 12 1991		Brief of respondents McMillian, et al. in opposition filed.
6	Mar 14 1991		REDISTRIBUTED. March 29, 1991
8	Apr 8 1991		REDISTRIBUTED. April 12, 1991
10	Apr 15 1991		Petition GRANTED.
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11	Apr 17 1991	G	Motion of petitioner for appointment of counsel filed.
12	Apr 26 1991		Record filed.
		*	one vol., USDC MD LA
13	Apr 29 1991		Motion for appointment of counsel GRANTED and it is ordered that Alvin J. Bronstein, Esquire, of Washington, D. C., is appointed to serve as counsel for the petitioner in this case. The order entered April 15, 1991, is amended to read as follows: The motion of petitioner for leave to proceed in forma pauperis is granted. The petition for a writ of certiorari is granted limited to the following question: "Did the Fifth Circuit apply the correct legal test when determining that petitioner's claim that his Eighth Amendment rights under the Cruel and Unusual Punishment Clause were not violated as a result of a single incident of force by the respondents which did not cause a significant injury?"
14	May 7 1991		Record filed.
		*	USCA 5-one vol.
15	Jun 4 1991		Joint appendix filed.
17	Jun 18 1991		Order extending time to file brief of petitioner on the merits until July 10, 1991.
18	Jun 18 1991		Brief amicus curiae of Americans for Effective Law Enforcement, Inc. filed.
23	Jul 9 1991		Brief amicus curiae of Prisoners' Legal Services of New York filed.
19	Jul 10 1991		Brief amicus curiae of United States filed.
20	Jul 10 1991		Brief amicus curiae of Human Rights Watch filed.
21	Jul 10 1991		Brief amicus curiae of Prisoners' Legal Services Project filed.
24	Jul 10 1991		Brief of petitioner Keith Hudson filed.
22	Jul 11 1991		Record filed.
25	Jul 26 1991	G	Motion of the Solicitor General for leave to participate

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Entry	Date	Note	Proceedings and Orders
			in oral argument as amicus curiae and for divided argument filed.
26	Aug 12 1991		Brief of respondents McMillian, et al. filed.
27	Aug 12 1991		Brief amici curiae of Texas, et al. filed.
28	Aug 21 1991		CIRCULATED.
29	Sep 5 1991		SET FOR ARGUMENT WEDNESDAY, NOVEMBER 13, 1991.(2ND CASE)
30	Sep 20 1991		Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED.
31	Sep 26 1991	X	Reply brief of petitioner Keith Judson filed.
32	Nov 13 1991		ARGUED.